

CONGRESS OF THE UNITED STATES

DELEGATION OFFICE
STATE OF NEW MEXICO
HART SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
(202) 224-3330

0177

February 4, 2010

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Genachowski:

We are writing to urge the Federal Communications Commission to ensure that the national broadband plan to be unveiled on March 17, 2010 clearly supports broadband for all. We strongly believe broadband ubiquity can provide diverse economic and educational opportunities for all New Mexicans, particularly those in rural, geographically isolated communities.

Over the last ten years, the United States has gone from being a world leader in Internet penetration to being ranked fifteenth--or worse--among developed nations. Recognizing this challenge, Congress instructed the Commission to develop a national broadband plan that includes a "detailed strategy for achieving affordability of [broadband] service and maximum utilization of broadband infrastructure and service by the public."

New Mexico ranks forty-sixth among all States in the percentage of Internet users according to one recent study. Thirty of New Mexico's thirty-three counties are considered medically underserved. The large distances between New Mexican towns and cities require individuals in those communities to use the Internet to access healthcare information and services, pursue higher educational opportunities, learn about economic and employment opportunities, and stay connected to families.

We recognize how access to the seemingly infinite resources available via the Internet can boost the capacity of New Mexicans to make informed decisions about issues which directly affect their lives. Yet ensuring the affordability of broadband service is also critical to making broadband truly available to all.


Thank you for your consideration and we look forward to seeing your response.

Sincerely,




Jeff Bingaman
United States Senator

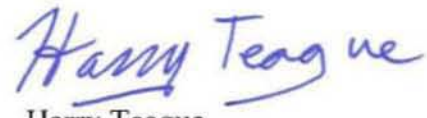
Tom Udall
United States Senator



Martin Heinrich
United States Representative



Ben Ray Luján
United States Representative



Harry Teague
United States Representative



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

May 12, 2010

The Honorable Jeff Bingaman
United States Senate
703 Hart Senate Office Building
Washington, D.C. 20510

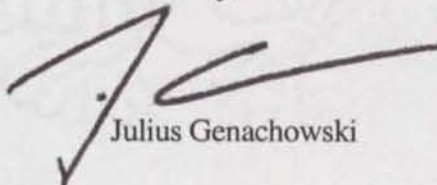
Dear Senator Bingaman:

Thank you for your letter advocating universal access goals in the National Broadband Plan. I share your views for universal access to affordable, high speed broadband.

I am pleased to report that the National Broadband Plan provides a comprehensive strategy for connecting all corners of the nation while transforming the economy and society with the communications network of the future -- robust, affordable, and high-speed Internet. The Plan provides specific recommendations to tackle serious challenges of global competitiveness by pursuing a world-leading broadband infrastructure for the United States, which will be an enduring engine for job creation and economic growth. In this respect, the Commission is evaluating public, private, and cooperative efforts of all sorts and is considering short, medium, and long-term actions to improve universal service programs. We are also assessing our experience with the Rural Health Care programs to refine such initiatives to expand affordable broadband connectivity more effectively. Through these programs and other efforts, we hope to close the gaps on universal broadband availability and adoption. I am enclosing a copy of the implementation schedule for the National Broadband Plan for your information.

I appreciate your interest in this important matter. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,



Julius Genachowski

Enclosure



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Martin Heinrich
U.S. House of Representatives
1505 Longworth House Office Building
Washington, D.C. 20515

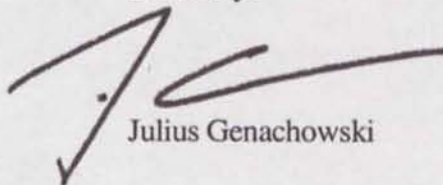
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FEDERAL COMMUNICATIONS COMMISSION
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May 12, 2010

The Honorable Ben Ray Luján
U.S. House of Representatives
502 Cannon House Office Building
Washington, D.C. 20515

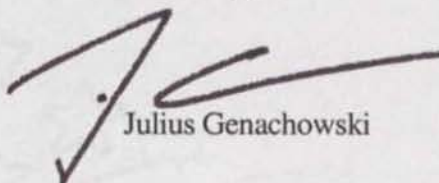
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FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Harry Teague
U.S. House of Representatives
1007 Longworth House Office Building
Washington, D.C. 20515

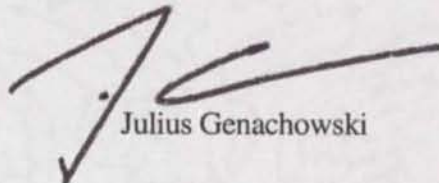
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WASHINGTON

OFFICE OF
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May 12, 2010

The Honorable Tom Udall
United States Senate
110 Hart Senate Office Building
Washington, D.C. 20510

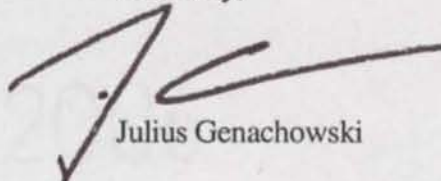
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NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE:
April 8, 2010

NEWS MEDIA CONTACTS:
Jen Howard, (202) 418-0506
Jen.Howard@fcc.gov

FCC ANNOUNCES BROADBAND ACTION AGENDA

Washington, D.C. -- Today, the Federal Communications Commission announced an ambitious 2010 agenda for implementing key recommendations of the National Broadband Plan that involve rulemakings and other notice-and-comment proceedings. The Plan, which the FCC delivered to Congress on March 16, 2010, lays out a comprehensive strategy for connecting all corners of the nation while transforming the economy and society with the communications network of the future -- robust, affordable, and high-speed Internet. The Plan aims to tackle serious challenges of global competitiveness by pursuing a world-leading broadband infrastructure for the United States, which will be an enduring engine for job creation and economic growth.

"We are putting the National Broadband Plan into action," said FCC Chairman Julius Genachowski. "The Commission's Bureaus and Offices have already begun executing on the strategy the National Broadband Plan lays out to connect all Americans to broadband, unleash innovation and investment, enable job creation, and ensure a bright future of economic opportunity and prosperity."

Chairman Genachowski added, "The court decision earlier this week does not change our broadband policy goals, or the ultimate authority of the FCC to act to achieve those goals. The court did not question the FCC's goals; it merely invalidated one technical, legal mechanism for broadband policy chosen by prior Commissions. Our implementation plan lays out a roadmap for reforming universal service to connect all Americans to broadband, including in rural areas; unleashing spectrum, promoting competition and supporting small businesses; protecting and empowering consumers; safeguarding on-line privacy; increasing adoption in all communities and ensuring fair access for people with disabilities; protecting broadband networks against cyber attack and other disasters; and ensuring that all users can reach 911 in an emergency. It is essential that the Commission act on this roadmap to protect America's global competitiveness and help deliver the extraordinary benefits of broadband to all Americans."

The 2010 Broadband Action Agenda announced today explains the purpose and timing of more than 60 rulemakings and other notice-and-comment proceedings the Plan recommends for FCC action. Executing these steps will accelerate deployment and adoption of robust, affordable broadband for all Americans, helping 100 million U.S. homes get affordable access to actual download speeds of at least 100 megabits over the next decade; promote innovation, investment, competition, and consumer interests throughout the broadband ecosystem; and advance the use of broadband for key national priorities, including public safety, health care, and education.

Building on the unprecedented transparency and inclusiveness of the National Broadband Plan process, the FCC will implement Plan recommendations requiring rulemakings through a series of open, participatory notice-and-comment proceedings. The FCC will simultaneously work to implement the many Plan recommendations that do not require formal agency proceedings, such as providing consumer applications to measure broadband speed, while other government bodies and stakeholders consider Plan recommendations that fall outside the agency's areas of responsibility. FCC actions taken to implement the Plan can be tracked at <http://www.broadband.gov/plan/broadband-action-agenda.html>.

The 2010 Broadband Action Agenda focuses on four key goals:

Promote World-Leading Mobile Broadband Infrastructure and Innovation

- Seek to make an additional 500 megahertz (MHz) of spectrum available for mobile broadband within the next ten years.
- Increase opportunities for unlicensed devices and innovative spectrum access models.
- Expand incentives and mechanisms to reallocate or repurpose spectrum to higher-valued uses.
- Improve the transparency of spectrum allocation and utilization.

Accelerate Universal Broadband Access and Adoption, and Advance National Purposes Such as Education and Health Care

- Carry out a once-in-a-generation transformation of the Universal Service Fund over the next ten years to support broadband service. This will be achieved by converting existing subsidy mechanisms over time from "POTS" (plain old telephone service) to broadband, without increasing the size of the fund over the current baseline projection.
- Upgrade the E-rate program, which has successfully connected public libraries and K-12 classrooms, to benefit students and others across the country by making broadband more accessible.
- Reform and upgrade the Rural Health Care Program to connect more public health facilities to high-speed Internet facilities and to foster telemedicine applications and services. Create a Health Care Infrastructure Fund to support deployment of dedicated health care networks to underserved areas.
- Create a Connect America Fund to extend broadband service to unserved areas of the nation and to ensure affordable broadband service in high-cost areas where support is necessary.
- Create a Mobility Fund to bring all states to a baseline level of "3G" (or better) wireless coverage.

Foster Competition and Maximize Consumer Benefits Across the Broadband Ecosystem

- Enhance broadband and marketplace choices for small businesses and mobile providers by establishing consistent policy frameworks for special access and wholesale wireline competition.
- Improve consumer disclosures and FCC data collection to better monitor and promote broadband competition.
- Fulfill mandate from Congress to ensure that video navigation devices, such as smart video devices, are available to consumers in the marketplace, spurring innovation in home video devices and driving increased broadband adoption and utilization.

Advance Robust and Secure Public Safety Communications Networks

- Facilitate the creation of a nationwide interoperable public safety wireless broadband network.
- Promote cybersecurity and protect critical communications infrastructure.
- Aid the transition to next-generation 911 and alerting systems.

For specific details, please see the 2010 Broadband Action Agenda at <http://www.broadband.gov/plan/broadband-action-agenda.html> and an implementation schedule at <http://www.broadband.gov/plan/chart-of-key-broadband-action-agenda-items.pdf>.

The Broadband Action Agenda does not include key ongoing and upcoming FCC initiatives that lie beyond the scope of the Plan's recommendations, or that are taken pursuant to the Plan but do not involve rulemaking or other notice-and-comment proceedings.

--FCC--

More information about the National Broadband Plan can be found at www.broadband.gov.

Broadband Action Agenda

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Broadband Action Agenda in a (C)HINDA

This Broadband Action Agenda lists more than 60 key actions, proceedings, and initiatives the Commission intends to undertake over the next year and beyond to implement the recommendations of the National Broadband Plan.¹ All dates refer to calendar (not fiscal) years and quarters, and are targets, partially contingent on external factors. Parentheticals following the title of each item provide the lead (in bold) and supporting FCC Bureaus and Offices responsible for that item (CGB = Consumer and Governmental Affairs Bureau, IB = International Bureau, MB = Media Bureau, OET = Office of Engineering and Technology, OSP = Office of Strategic Planning and Policy Analysis, PSHSB = Public Safety and Homeland Security Bureau, WCB = Wireline Competition Bureau, WTB = Wireless Telecommunications Bureau).

COMMON FCC REGULATORY PROCEEDINGS

The Agenda discusses a number of common FCC regulatory proceedings, including:

- **Public Notice (PN):** A PN is issued by the Commission or by one of its Bureaus and Offices to notify the public of an action taken or of the occurrence of an event, or to seek public comment on a matter the Commission is considering.
- **Notice of Inquiry (NOI):** A NOI is issued by the Commission to ask the public for information on, or to generate ideas about, a topic. A NOI is often followed by a Notice of Proposed Rulemaking.
- **Notice of Proposed Rulemaking (NPRM):** A NPRM is issued when the Commission is considering a change to its rules and regulations. The NPRM asks the public to comment on whether they agree with the proposed changes or to propose alternatives.
- **Further Notice of Proposed Rulemaking (FNPRM):** A FNPRM is issued by the Commission to seek further comment from the public when new issues arise in a proceeding after an NPRM has been issued, or the Commission desires additional public comment on issues raised in an NPRM.
- **Order:** An order is a decision of the Commission or one of its Bureaus and Offices.

- **Report and Order (R&O):** A R&O is a decision issued by the Commission to conclude a rulemaking proceeding. R&Os may adopt new rules, amend existing rules, or announce that rules will remain unchanged.

The Agenda includes four major categories of actions: (1) Promoting World-Leading Mobile Broadband Infrastructure and Innovation; (2) Accelerating Universal Broadband Access and Adoption, and Advancing National Purposes Such as Education and Health Care; (3) Fostering Competition and Maximizing Consumer Benefits Across the Broadband Ecosystem; and (4) Advancing Robust and Secure Public Safety Communications Networks.

A. Promote World-Leading Mobile Broadband Infrastructure and Innovation

The Plan recommends making an additional 500 megahertz (MHz) of spectrum available for mobile broadband within the next ten years. To achieve this and other key spectrum goals—including improving the transparency of spectrum allocation and utilization, increasing opportunities for unlicensed devices and innovative spectrum access models, and expanding incentives and mechanisms to reallocate or repurpose spectrum to higher-valued uses—the Commission intends to conduct more than a dozen actions, proceedings, and initiatives over the next year.

Unleash More Spectrum for Mobile Broadband

The Plan recommends that the FCC make 500 MHz newly available for broadband use within the next ten years, of which 300 MHz of high-value spectrum between 225 MHz and 3.7 gigahertz (GHz) should be made newly available for mobile use within five years.

Band	Key Actions and Timing	Megahertz Made Available for Terrestrial Broadband
WCS	2010—Order	20
AWS 2/3 ²	2010—Order 2011—Auction	60
D Block	2010—Order 2011—Auction	10
Mobile Satellite Services (MSS)	2010—NPRM 2010—L-Band and Big LEO Orders 2011—S-Band Order	90
Broadcast TV ³	2010—NPRM 2011—Order 2012/13—Auction 2015—Band transition	120
Total		300

1. **2.3 GHz WCS/SDARS Order** (Rec. 5.8.1) (OET, WTB, IB): To enable robust mobile broadband use of 20 MHz of spectrum in the 2.3 GHz Wireless Communications Service (WCS) band while protecting neighboring incumbent operations, in Q2 2010 adopt an order revising technical rules.
2. **D Block Order/NPRM** (Recs. 5.8.2, 16.1) (WTB, PSHSB): To unleash spectrum for mobile broadband while fostering the deployment of a nationwide, interoperable, public safety wireless broadband network, in late Q2 or early Q3 2010 adopt an order and NPRM to pave the way for an auction of the 10 MHz of spectrum in the Upper 700 MHz D Block in the first half of 2011.
3. **MSS NPRM** (Rec. 5.8.4) (OET, IB, WTB): To promote investment and innovation in mobile broadband, in Q3 2010 propose rules that accelerate terrestrial broadband deployment in up to 90 MHz of Mobile Satellite Spectrum (MSS).
4. **Broadcast TV Spectrum Innovation NPRM** (Rec. 5.8.5) (OET, MB, WTB): To maximize value and promote innovative use of broadcast TV spectrum while preserving free, over-the-air broadcasting; protecting against interference; and ensuring vibrant and diverse media ownership, in Q3 2010 seek comment on proposals to increase spectrum efficiency and innovation.
5. **AWS Bands Analysis and Potential Order** (Rec. 5.8.3) (WTB, OET): To increase spectrum in the Advanced Wireless Services (AWS) bands for mobile broadband, by October 1, 2010 conclude a process with the National Telecommunications and Information Administration (NTIA), to determine whether a portion of the 1.7 GHz band currently used for federal government purposes can be paired with 20 MHz of spectrum in the AWS-3 band. Along with AWS-2 spectrum, this would make an additional 60 MHz of spectrum available for mobile broadband. If at the end of this inquiry there is not a strong possibility of reallocating federal spectrum, adopt final rules in Q4 2010 to auction the AWS-3 spectrum on a stand-alone basis in Q2 2011.

Increase Opportunities for Innovative Spectrum Access Models

Past FCC decisions to allow new spectrum access models have unleashed tremendous innovation, including technologies using unlicensed spectrum, such as WiFi, Bluetooth, and wireless smart meters. Building on these successes, the Plan recommends a series of steps to enable the next generation of spectrum access technologies to take root.

6. **TV White Spaces Reconsideration and Database Opinion and Order** (Rec. 5.12) (OET, MB, WTB): To accelerate the introduction of innovative products and services that access the "white spaces" spectrum between TV channels without interfering with other spectrum uses, in Q3 2010 complete the final rules for TV white space devices by resolving outstanding challenges to rules and selecting a device database manager.
7. **Identification of Contiguous Spectrum for Unlicensed Use** (Rec. 5.11) (OET, WTB): In conjunction with ongoing work on the strategic spectrum plan and triennial assessments, in Q2 2010 begin meetings with stakeholders to collect initial ideas regarding candidate bands to make more spectrum available for unlicensed use, and by the end of 2010 make a recommendation regarding initiating a proceeding to free up a new, contiguous nationwide band for unlicensed use within the next ten years.
8. **Opportunistic Use of Spectrum NPRM** (Rec. 5.13) (OET, WTB, IB, MB, PSHSB): To enable more efficient use of spectrum by increasing opportunities for

dynamic spectrum access technologies in different bands, in Q3 2010 propose rules to facilitate the use of smart radios in spectrum held by the FCC (such as in certain license areas where spectrum was not successfully auctioned) that would otherwise be unused.

9. *Experimental Licensing NPRM* (Rec. 5.14) (OET): To establish more flexible experimental licensing rules for spectrum, in Q4 2010 propose rules to facilitate R&D and help accelerate spectrum innovation.

Remove Barriers to Spectrum Utilization

The Plan recommends a number of other steps to remove barriers to efficient and productive spectrum use.

10. *Mobile Roaming Order and FNPRM* (Rec. 4.11) (WTB): To promote competition among mobile broadband providers, encourage investment, and increase consumer choice, in Q2 2010 adopt an order implementing rules to ensure the availability of reasonable automatic roaming arrangements for voice service and a Further Notice of Proposed Rulemaking seeking comment on roaming arrangements for mobile broadband services.
11. *Spectrum Sharing/Wireless Backhaul NPRM/NOI* (Recs. 5.9, 5.10) (WTB, OET): To enable more cost-effective use of spectrum and to help increase wireless broadband availability in both rural and urban areas, in Q3 2010 propose revising rules to allow for increased spectrum sharing among compatible point-to-point microwave services and greater flexibility in deploying wireless backhaul.
12. *Secondary Markets Internal Review* (Rec. 5.7) (WTB): To identify ways to increase incentives and mechanisms to reallocate or repurpose unused and underutilized spectrum, by the end of 2010 complete internal assessment of barriers to using secondary markets, including transferring, licensing, and leasing spectrum by existing licensees to third parties. The outcome of the review will determine whether further action is required in 2011.

Improve Data and Transparency Regarding Spectrum Allocation and Utilization

Spectrum policy depends on data and transparency around spectrum allocations, licensing, and utilization. The Plan lays out concrete recommendations for increasing the quality of data and analysis that undergirds informed spectrum policymaking, including by enabling outside parties – such as citizens, companies, investors, and other government agencies – to better understand and to provide more effective input into spectrum allocation decisions.

13. *Spectrum Dashboard 2.0* (Rec. 5.1) (WTB, OET, PSHSB, MB, IB): To improve the transparency of spectrum allocation, support spectrum policy planning, and promote a secondary market in spectrum, in March 2010 the FCC launched a beta Spectrum Dashboard (<http://reboot.fcc.gov/reform/systems/spectrum-dashboard>). By early Q4 2010 improve and augment the beta release and launch Spectrum Dashboard 2.0.
14. *Strategic Spectrum Plan and Triennial Assessment* (Rec. 5.3) (WTB, OET, OSP): To ensure the FCC maintains and regularly publishes an up-to-date strategic plan for the nation's spectrum, beginning immediately and in coordination with NTIA maintain and continually update the strategic spectrum plan described in Chapter 5 of the Plan, preparing and publishing assessments of the supply, usage, and demand for spectrum – including potential sources of new spectrum – every three years.

B. Accelerate Universal Broadband Access and Adoption, and Advance National Purposes Such as Education and Health Care

The Plan provides an array of recommendations to accelerate universal broadband access and adoption – including for rural America; low-income Americans; schools and libraries; hospitals, clinics, doctors, and patients; Americans with disabilities; and Native Americans – and to advance national purposes such as education, health care, and energy efficiency.

Connect Rural America

To accelerate broadband access and adoption in rural America, the Plan recommends that the FCC comprehensively reform both contributions to and disbursements from the Universal Service Fund (USF) to support universal access to broadband service, including through creation of the Connect America Fund (CAF).

15. *USF Reform NPRM and NOI* (Rec. 8.2) (WCB, WTB): To begin the process of reforming the USF High-Cost Fund, in Q2 2010 propose specific common-sense reforms to the existing high-cost support mechanisms to identify funds that can be refocused toward broadband, and seek comment on the use of a model to determine efficient and targeted support levels for broadband deployment in high-cost areas.
16. *USF Merger Commitments Order* (Rec. 8.6) (WCB, WTB): To recover funds necessary for future broadband support, in Q2 2010 adopt an order resolving open issues and implementing longstanding commitments by Sprint and Verizon Wireless to eliminate – over multiple years – the substantial funding they receive for telephone service from the USF High Cost Fund.
17. *Mobility Fund NPRM* (Rec. 8.3) (WTB, WCB): To bring all states to a baseline level of 3G (or better) mobile availability, in late Q3 or early Q4 2010 propose rules creating a Mobility Fund to provide for one-time support for deployment of 3G (or better) networks in states that significantly lag the national average.
18. *USF Transformation FNPRM* (Recs. 8.2, 8.4–8.6, 8.12) (WCB, WTB): To continue the process of reforming the USF High-Cost Fund, in Q4 2010 propose rules to expedite deployment of broadband to unserved areas and establish the framework of the CAF to shift from supporting phone service to advancing access to broadband as well as voice.
19. *USF Contributions NPRM* (WCB, WTB): To stabilize support mechanisms for universal service programs, in Q4 2010 propose rules to reform the process for collecting contributions to the USF.

In addition, and closely related to reform of the USF High Cost Fund, the Plan recommends overhauling intercarrier compensation – the system of rules regulating payments among telecommunications carriers for exchanging traffic across networks – to rationalize and increase the system's efficiency, foster competition, and facilitate the transition from traditional circuit-switched voice networks to all-IP networks, ultimately benefiting consumers.

20. *Inter-carrier Compensation NPRM* (Rec. 8.7, 8.11, 8.14) (WCB, WTB): To address inefficient and outmoded intercarrier payment rules, in Q4 2010 propose rules for long-term intercarrier compensation reform, including implementation of a glide path for reducing per-minute charges, establishment of appropriate cost-recovery mechanisms, and implementation of interim solutions to address arbitrage.

Connect Low-Income Americans

The Plan recommends increasing broadband adoption among low-income Americans by promoting affordability through reforms of the USF's Lifeline and Link-Up programs.

21. *Lifeline/Low-Income Joint Board Referral Order* (Rec. 9.1) (WCB, WTB): To make broadband more affordable for low-income households by facilitating

expansion and integration of the Lifeline and Link-Up programs with state and local e-government efforts, in Q2 2010 refer certain program issues—including consumer eligibility, verification, and outreach—to the Federal-State Joint Board on Universal Service for specific recommendations to improve Lifeline and Link-Up in partnership with the states.

22. *Lifeline Pilot Roundtable* (Rec. 9.1) (WCB, WTB): To facilitate pilot programs to identify the most efficient and effective long-term broadband support mechanism for low-income Americans, in Q2 2010 hold a roundtable discussion on broadband Lifeline pilots.
23. *Lifeline Flexibility NPRM* (Rec. 9.1) (WCB, WTB): To give flexibility to low-income Americans eligible for Lifeline benefits, in Q3 2010 propose rules to require carriers to permit Lifeline customers to apply Lifeline discounts toward service offerings that include broadband as well as telephone service.

Connect Schools and Libraries

The Plan recommends upgrading the E-rate program, which has successfully connected public libraries and K-12 classrooms, to make broadband more accessible.

24. *E-rate Community Use Order* (WCB): To bolster use of broadband in schools, in February 2010 the FCC adopted an order and proposed rules enabling schools that receive funding through the USF's E-rate program for schools and libraries in funding years 2009 and 2010 to allow members of the general public to use the schools' Internet access during non-operating hours.
25. *E-rate Funding Year 2011 NPRM & Order* (Recs. 11.18, 11.19) (WCB): To cut red tape and make broadband more accessible, in Q2 2010 propose rules reforming the E-rate program and indexing the E-rate funding cap to inflation for funding year 2011 (July 1, 2011 – June 30, 2012). In Q3 or early Q4 2010 adopt rules to implement reforms proposed in Q2, benefiting students across the country.
26. *E-rate Funding Year 2012 NPRM* (Recs. 8.20, 11.15–17, 11.20–21, 11.23–24) (WCB): To continue the reform process initiated during funding year 2011, in Q1 2011 propose rules further reforming the E-rate program for funding year 2012 (July 1, 2012 – June 30, 2013).

Connect Hospitals, Clinics, Doctors, and Patients

The Plan includes a series of recommendations to connect more public health facilities to high-speed Internet; foster telemedicine devices, applications, and services; and create a Health Care Infrastructure Fund to support deployment of dedicated health care networks to underserved areas.

27. *Rural Health Care Pilot Program Extension Order* (Rec. 10.7) (WCB): To ensure that each program participant can provide the full consumer benefits of its project, which include robust e-health services and the exchange of electronic health records, the FCC extended Rural Health Care Pilot Program deadlines earlier this year.
28. *Rural Health Care Reform NPRM & Order* (Recs. 8.20, 10.6, 10.7) (WCB): To enable patients in rural, Tribal, and remote areas to have access to world-class healthcare without leaving their communities, in Q3 2010 propose rules to create a Health Care Infrastructure Fund to support deployment of dedicated health care networks to underserved areas and a Health Care Access Fund to connect hospitals and doctors. In Q4 2010 or early 2011, recommend adopting rules to implement these reforms.
29. *FCC/FDA Workshop and Public Notice on Converged Devices* (Rec. 10.3) (OET): To facilitate innovation and protect public health in the continued development of safe and effective "converged devices" (devices used for both communications and health care), the FCC has begun working with the Food and Drug Administration (FDA) to address and clarify the appropriate policy framework for these devices. In Q2 2010 the FCC and FDA will hold a joint staff workshop and issue a public notice seeking input on these issues.

Connect People with Disabilities

To better enable Americans with disabilities to experience the benefits of broadband, the Plan includes a number of recommendations to make hardware, software, services, and digital content more accessible and to make assistive technologies more affordable.

30. *Real-Time Text NOI, NPRM, and Order* (Rec. 9.10) (CGB, WCB, WTB, OET): To ensure that people with hearing or speech disabilities can naturally conduct conversations over communications networks to the same extent that voice users do and effectively communicate with 911 services, and to facilitate a transition away from outmoded analog-based services, in Q3 2010 issue a Notice of Inquiry to identify a reliable, interoperable, real-time text standard allowing users to see and receive text as it is typed in a digital and Internet-based environment. Following the inquiry, propose rules in Q4 2010 and adopt rules in early 2011.
31. *Internet Video and Device Accessibility NOI and NPRM* (Rec. 9.10) (CGB, WCB, WTB, MB): To ensure that people with hearing and vision disabilities have full access to video content distributed over the Internet, in Q4 2010 launch an inquiry into the accessibility of Internet video programming and devices used to display such programming with closed captioning and video description, to be followed by proposed rules in 2011.
32. *Service and Equipment Accessibility NOI & NPRM* (Rec. 9.10) (CGB, WCB, WTB, OET): To ensure that people with disabilities have equal access to emerging broadband and digital products and services, in the first half of 2011 launch an inquiry into extending Section 255 accessibility rules to providers of advanced services and manufacturers of equipment used with these services, to be followed by proposed rules later in 2011.
33. *TRS Broadband NPRM* (Rec. 9.10) (CGB, WCB, WTB, OET): To ensure that people with hearing and speech disabilities have the tools, services, and assistive technology to achieve full and equal communication over distances, in the first half of 2011 propose rules to establish a new program for broadband services and assistive technologies under the Telecommunications Relay Services (TRS) program, and determine whether additional IP-enabled TRS services, such as Video Assisted Speech-to-Speech Service, could benefit people with disabilities.
34. *Accessibility and Innovation Forum* (Rec. 9.9) (CGB, WCB, WTB): To encourage and facilitate the ability of companies and independent inventors to develop products, services, and applications that are accessible to people with disabilities, in July 2010 establish an Accessibility and Innovation Forum, which will use a number of tools—including workshops, product demonstrations, and an information-sharing website—to share best practices and demonstrate new products, applications, and assistive technologies.
35. *Hearing Aid Compatibility Second Report and Order/FNPRM* (Rec. 9.10) (WCB, OET, CGB): To ensure that consumers who use hearing aids are able to effectively use new wireless broadband technologies that offer voice service, in Q3 2010 address outstanding issues in the ongoing Hearing Aid Compatibility rulemaking and seek comment on additional proposals to further extend Hearing Aid Compatibility rules to all devices that provide voice communications via a built-in speaker and are typically held to the ear, to the extent technologically feasible.

Connect Native American Communities

The Plan offers recommendations for ensuring effective coordination and consultation between Native American governments and multiple federal agencies and departments on a wide range of programs related to broadband issues.

36. *FCC-Native Nations Broadband Task Force* (Rec. 9.14) (CGB): To promote government-to-government relations with Native American governments, in Q2 2010 launch a task force to assist in developing and executing an FCC consultation policy, ensure that Native American concerns are considered in all FCC proceedings related to broadband, and develop additional recommendations for promoting broadband deployment and adoption on Native American lands. The task force will initially consist of senior FCC staff and then be expanded to include elected leaders or their appointees from Native Nations.
37. *FCC Office of Native American Affairs* (Rec. 9.14) (CGB): To more effectively address Native American issues, in Q2 2010 establish an FCC Office of Native American Affairs with the requisite personnel, resources, and authority to consult regularly with Native American leaders and work with other FCC bureaus and offices, as well as other Federal agencies and departments, on policies, programs, and initiatives impacting Native Americans and Native American interests.
38. *Spectrum on Tribal Lands NPRM* (Rec. 5.17) (WTB, CGB): To increase mobile opportunities for Tribal communities, in Q4 2010 propose rules to promote greater use of spectrum on Tribal lands, in coordination with Tribal governments.

C. Foster Competition and Maximize Consumer Benefits Across the Broadband Ecosystem

The Plan contains several recommendations to promote competition and empower consumers across the markets that make up the broadband ecosystem: network services, devices, and applications. These recommendations include removing barriers to key broadband inputs; improving consumer disclosures and FCC data collection to better monitor and promote broadband competition; and promoting consumer choice in video navigation devices, such as smart video devices.

Remove Barriers to Entry by Streamlining Access to Key Broadband Inputs

The Plan recommends developing a coherent and effective policy framework for taking expedited action to ensure widespread availability of key broadband inputs and achieve the FCC's goal of robust competition in business and consumer broadband markets.

39. *Special Access Workshop and NPRM* (Rec. 4.8) (WCB, WTB, OSP): To promote greater broadband deployment, competition, and investment, in late Q2 or early Q3 2010 hold a staff workshop to discuss the analytical framework the FCC should use to assess the effectiveness of its existing special access rules. These rules generally govern the terms under which certain dedicated, high-capacity links may be purchased from incumbent carriers to serve business locations and cell phone towers. In late Q3 or early Q4 2010, propose a framework for assessing the effectiveness of the existing special access rules and identify any associated data collection requirements—critical steps toward ensuring that rates, terms, and conditions for special access services are just and reasonable, as required by law.
40. *Small Business Broadband and Wholesale Competition PN and NOI* (Recs. 4.7, 4.9) (WCB): To promote broadband affordability and choice for small businesses and other users, in Q2 2010, issue a public notice initiating development of a coherent, comprehensive framework for addressing a number of wireline wholesale competition policy issues that affect the small business market, including wholesale obligations raised in pending proceedings. By the end of 2010, adopt an NOI seeking comment on application of an analytical framework for these wholesale competition issues.
41. *Tower Siting Declaratory Ruling* (WTB): To speed the deployment of next-generation wireless networks while preserving local control over zoning and land use policies, in 2009 the FCC established timeframes of 90 days for collocations and 150 days for all other tower siting applications reviewed by state and local governments.
42. *Pole Attachments Order and FNPRM* (Recs. 6.1–6.4) (WCB): To promote broadband deployment and new broadband entrants, in Q2 2010, recommend adopting an order and FNPRM to clarify and streamline broadband network operators' ability to obtain just, reasonable, and nondiscriminatory access to utility poles for the build out of their networks.
43. *Rights-of-Way Task Force* (Recs. 6.4, 6.6) (CGB, WCB): To streamline and facilitate broadband providers' access to rights of way, in July 2010 begin work on a rights-of-way task force with state, Tribal, and local policymakers to inventory current practices and policies and recommend fair practices and fees for broadband network operators' access to rights of way. Use recommendations from the task force in a subsequent formal proceeding to seek industry-wide comment on collecting and making available more information about rights of way and setting guidelines for rights-of-way access.
44. *Interconnection Clarification Order* (Rec. 4.10) (WCB): In Q3 2010, recommend adopting an order clarifying the rights of competitive carriers to obtain a key input: interconnection with rural incumbent telephone companies in order to provide voice service, often as part of a bundle with broadband and/or pay television service. This action will increase regulatory certainty and enhance the economic viability of broadband entry that depends on capturing voice revenues from subscribers, which will benefit rural consumers in particular.

Improve Data Collection, Analysis, and Disclosure to Promote Broadband Competition and Protect and Empower Consumers

The Plan seeks to bolster competition and consumer benefits by developing data-driven competition policies for broadband services and ensuring that consumers have the information they need to make decisions that maximize benefits from these services.

45. *Technical Advisory Group on Speed and Performance* (Recs. 4.3, 4.4, 4.6) (CGB, OET, WCB): To develop guidelines for measuring actual broadband speed and performance and for disclosing information to consumers, in Q2 2010 launch a technical advisory group on speed and performance, including representatives from industry and consumer groups.
46. *Speed and Performance Measurement* (Rec. 4.2, 4.4) (CGB, WTB, WCB, OET): To empower and protect consumers by collecting and reporting more accurate data on actual broadband speeds and performance, in Q2 2010 launch a voluntary 3rd party measurement program to sample broadband performance for 10,000 households nationwide, which will inform the Transparency and Disclosure NPRM and culminate in the first "State of Broadband Report" in Q3 2010.
47. *Transparency and Disclosure NPRM* (Rec. 4.5, 4.6) (CGB, WCB, WTB, OET): To empower consumers to make informed choices among broadband providers and plans, understand their bills, and decide whether to switch broadband providers, in late Q3 or early Q4 2010 propose rules regarding disclosure requirements for broadband service providers.
48. *Broadband Data NPRM* (WCB, WTB, OSP): To better monitor and promote broadband competition, in Q4 2010 propose rules to collect and analyze more detailed and accurate industry-wide data on several key broadband metrics, including subscribership, actual availability, penetration, performance, prices, churn, and bundles, for both consumers and business customers. Propose methods by which collected data can be made available to the public, academic researchers, and others to enable more detailed market and competition analyses. These efforts will include coordination with Tribal governments regarding improved data collection.
49. *Mobile Wireless Competition Report* (Rec. 4.2) (WTB, OSP): To better assess the state of competition in the mobile wireless industry, in Q2 2010 issue the 14th edition of the Mobile Wireless Competition Report, which will expand upon previous FCC analyses by considering the broader mobile wireless ecosystem, including how upstream and downstream segments affect competition in the provision of mobile wireless services to consumers.
50. *Broadband Map* (Rec. 4.2) (OSP, WCB, WTB): To improve visibility into the availability of consumer broadband across America, the FCC is assisting NTIA in

developing the National Broadband Map, including by providing ongoing help to assemble data from state and territory partners and to generate an online, searchable, interactive version of the Map no later than Q1 2011.

* *Spectrum Dashboard 2.0* (Rec. 5.1) (WTB, OET, PSHSB, MB, IB) [See #13 above]

Unleash Innovation and Competition in Video Devices

As online video becomes increasingly important for driving broadband usage and adoption, the Plan recommends steps that will foster increased innovation in smart video devices to bring more competition and choice for consumers.

51. *Smart Video Devices NOI & NPRM* (Rec. 4.10) (MB, OET): To spur innovation and driving increased broadband adoption and utilization, in Q2 2010 seek comment on best approaches to assure the commercial availability of smart video devices and other equipment used to access the services of multi-channel video programming distributors. Propose rules in Q4 2010 providing an approach, to be implemented by the end of 2012, to enable consumers to buy smart video devices at retail that can be used with any MVPD and that can fully integrate pay television services, including two-way services, with video received over the Internet.
52. *CableCARD NPRM* (Recs. 4.9, 4.11) (MB, OET): To facilitate the provision and use of CableCARD devices while a more fundamental revision of the FCC's rules for smart video devices is under way, in Q2 2010 propose rules to address a number of issues to improve the working of the CableCARD framework.

D. Advance Robust and Secure Public Safety Communications Networks

The Plan recommends a series of actions to help ensure that broadband can support public safety and homeland security, respond swiftly when emergencies occur, and provide the public with better ways of calling for help and receiving emergency information. These recommendations include facilitating creation of a nationwide interoperable public safety mobile broadband network; ensuring our broadband networks are safe and secure; and modernizing our emergency communications and alerting systems.

Facilitate Creation of a Nationwide Interoperable Public Safety Mobile Broadband Network

The Plan recommends supporting the deployment of a nationwide, interoperable public safety mobile network, and ensuring that public safety has priority access to commercial wireless networks during times of emergency.

53. *ERIC Public Safety Interoperability Order* (Rec. 16.1) (PSHSB): To develop and coordinate common standards for interoperability and operating procedures (including roaming, priority access, authentication, and encryption) – enabling the seamless exchange of public safety communications across a nationwide broadband network – in Q2 2010 release an order creating an Emergency Response Interoperability Center (ERIC) within the FCC's Public Safety and Homeland Security Bureau.
54. *700 MHz Waiver Petitions* (PSHSB, WTB, OET): To enable early deployment of local and regional public safety wireless broadband networks, in late Q2 or early Q3 2010 recommend adopting orders resolving pending waiver petitions from various public safety entities seeking early deployment of networks in the 700 MHz public safety broadband spectrum.
55. *700 MHz Public Safety Order/FNPRM* (Rec. 16.1) (PSHSB, WTB, OET): To accelerate deployment of a nationwide, interoperable broadband network using spectrum already licensed for public safety, in Q3 2010, adopt an order and Further Notice of Proposed Rulemaking resolving outstanding issues and establishing final rules governing build out and operating obligations for public safety spectrum.
* *D Block Order/NPRM* (Recs. 5.8.2, 16.1) (WTB, PSHSB) [See #2, above]
56. *Public Safety Roaming and Priority Access NPRM* (Rec. 16.1) (WTB, PSHSB): To enable public safety communications in areas where public safety broadband wireless networks are unavailable or at capacity, in late Q2 or early Q3 2010 propose rules to provide public safety with roaming and priority access service at reasonable rates on commercial networks.

Promote Cybersecurity and Protect Critical Communications Infrastructure

The Plan recommends safeguards for protecting against cyberattacks and ensuring that our nation's communications infrastructure is robust and able to withstand physical failure.

57. *Service Outage and Homeland Security Workshop and NPRM* (Rec. 16.6) (PSHSB, OET, WCB, WTB, IB): To help ensure a better response to service outages affecting IP-based networks and prevent future outages, in Q2 2010 hold a staff workshop regarding critical infrastructure and information collection and issue a subsequent public notice. In Q4 2010 propose rules to extend the FCC's Part 4 outage reporting rules (currently applicable to communications service providers) to broadband Internet service providers and interconnected VoIP providers.
58. *Cybersecurity Certification NOI* (Rec. 16.7) (PSHSB, WTB, OET, WCB): To promote more vigilant network security and provide consumers with more information about their providers' cybersecurity practices, in Q2 2010, initiate a proceeding to create a voluntary cybersecurity certification program that creates market incentives for communications service providers to upgrade their network cybersecurity. This proceeding will also examine additional voluntary incentives that could improve cybersecurity and improve education about cybersecurity issues, and may be followed by a rulemaking in 2011.
59. *Survivability NOI* (Rec. 16.10) (PSHSB, OET, WTB, WCB): To ensure the resiliency of broadband networks in times of disaster, in Q2 2010, seek comment on the present state of survivability and potential measures to reduce vulnerability to network failures, and issue further requests for comment as required in 2011.
60. *Back-Up Power NOI* (PSHSB, OET, WTB): To ensure survivability of service during large-scale disasters, in Q4 2010 begin an inquiry to examine ways to ensure that commercial communications service providers, including broadband providers, have adequate measures in place, such as back-up power. Based on the record developed in the inquiry, the FCC will initiate further proceedings in 2011 as necessary.
61. *Network Reliability NOI* (Rec. 16.12) (PSHSB, OET, WTB, WCB): To determine what actions, if any, the FCC should take to bolster the reliability of broadband infrastructure, in Q1 2011 begin an inquiry to better understand the reliability standards used in broadband networks. The proceeding will examine the standards and practices applied to broadband infrastructure at all layers, from facilities to applications, and may lead to further inquiries in 2011 as necessary.

Promote Development and Implementation of Next-Generation 911 (NG911) and Alerting Systems

The Plan recommends steps to help enable the nation's 911 and emergency alert systems use new communications technologies and devices beyond traditional phone and broadcast platforms.

62. *Location Accuracy FNPRM* (Rec. 16.15) (PSHSB, OET, WTB): To improve location accuracy and automatic location identification requirements for next-generation 911, in Q3 2010 adopt a Further Notice of Proposed Rulemaking to consider how NG911—the next step for the nation's emergency communications system, incorporating text messaging, photos and videos, and other data communications—affects location accuracy and automatic location identification requirements. The FNPRM will be followed by further proceedings in 2011 as necessary.
63. *NG911 NOI* (Rec. 16.15) (PSHSB, OET, WCB, WTB): To promote the effective development of next-generation 911, in Q4 2010 begin an inquiry to address how NG911 can accommodate communications technologies, networks, and architectures beyond traditional voice-centric devices, and how public expectations will evolve regarding the communications platforms the public will rely on to request emergency services. The NOI will be followed by further proceedings in 2011 as necessary.
64. *Alerting NOI* (Rec. 16.16) (PSHSB, WTB, WCB, OET): To promote the effective development and implementation of a next-generation alerting system, in Q1 2011 begin an inquiry examining issues regarding development of a multiple-platform, redundant, next-generation alert system that includes delivery of emergency alerts throughout the nation via broadband. After this proceeding, the FCC will initiate further proceedings as required, as well as pursuing follow-on work with our federal partners.

¹ The Agenda focuses on 2010 items but discusses 2011 items where appropriate; it principally addresses formal notice-and-comment proceedings and generally does not include informal actions the Commission will take to implement Plan recommendations. The Agenda is not a comprehensive agenda for the Commission and does not include key ongoing and upcoming FCC initiatives that lie beyond the scope of the Plan's recommendations.

² Timing and quantity depends on outcome of the investigation into possibility of reallocating federal spectrum in the 1755–1850 MHz band.

³ Timing and quantity depends on Congressional action to grant incentive auction authority as well as voluntary participation of broadcasters in an auction.

Proposed 2010 Key Broadband Action Agenda Items*

	Q2 2010 (CY)	Q3 2010 (CY)	Q4 2010 (CY)
Promote World-Leading Mobile Broadband Infrastructure and Innovation	Mobile Roaming Order and FNPRM (WTB)	AWS Bands Analysis (WTB, OET)	AWS Potential Order (WTB, OET)
	D Block Order/NPRM (WTB, PSHSB) [Also in Public Safety]		Secondary Markets Internal Review (WTB)
	Launch Strategic Spectrum Plan and Triennial Assessment (WTB, OET, OSP)	Spectrum Sharing/Wireless Backhaul NPRM/NOI (WTB, OET)	Spectrum Dashboard 2.0 (WTB, OET, PSHSB, MB, IB)
	2.3 GHz WCS/SDARS Order (OET, WTB, IB)	Oppor. Use of Spectrum NPRM (OET, WTB, IB, MB, PSHSB)	Recommendation re: Contiguous Unlicensed Spectrum Proceeding (OET, WTB)
		TV White Spaces Opinion & Order (OET, MB, WTB)	Experimental Licensing NPRM (OET)
		MSS NPRM (OET, IB, WTB)	
		Broadcast TV Spectrum Innovation NPRM (OET, MB, WTB)	
Accelerate Universal Broadband Access and Adoption	USF Reform NPRM and NOI (WCB, WTB)		Mobility Fund NPRM (WTB, WCB)
	Lifeline/Low-Income Joint Board Referral Order (WCB, WTB)	Hearing Aid Compat. Second Report & Order/FNPRM (WTB, OET, CGB)	Spectrum on Tribal Lands NPRM (WTB, CGB)
	E-Rate FY2011 NPRM (WCB)		E-Rate FY2011 Order (WCB)
	USF Merger Commitments Order (WCB, WTB)	Rural Health Care Reform NPRM (WCB)	USF Transformation NPRM (WCB, WTB)
	Lifeline Pilot Roundtable (WCB, WTB)	Lifeline Flexibility NPRM (WCB, WTB)	Intercarrier Compensation NPRM (WCB, WTB)
	FCC/FDA Workshop and PN on Converged Devices (OET)	Establish Accessibility and Innovation Forum (CGB, WCB, WTB)	USF Contributions NPRM (WCB, WTB)
	Launch FCC Office of Native American Affairs (CGB)	Real-Time Text NOI (CGB, WCB, WTB, OET)	Real-Time Text NPRM (CGB, WCB, WTB, OET)
	FCC-Native Nations Broadband Task Force (CGB)		Internet Video and Device Accessibility NOI (CGB, WCB, WTB, MB)
Foster Competition and Maximize Consumer Benefits Across the Broadband Ecosystem	Mobile Wireless Competition Report (WTB, OSP)	Interconnection Clarification Order (WCB)	
	Pole Attachments Order and FNPRM (WCB)	Rights-of-Way Task Force (CGB, WCB)	Small Business Broadband & Wholesale Comp. NOI (WCB)
	Small Business Broadband & Wholesale Comp. PN (WCB)		
	Special Access Workshop (WCB, WTB, OSP)	Special Access NPRM (WCB, WTB, OSP)	
	CableCARD NPRM (MB, OET)		
	Smart Video Devices NOI (MB, OET)		Smart Video Devices NPRM (MB, OET)
	Launch Tech. Adv. Grp. on Speed & Perf. (CGB, OET, WCB)	Transparency & Disclosure NPRM (CGB, WCB, WTB, OET)	
	Launch Speed and Performance Measurement Program (CGB, WTB, WCB, OET)		Broadband Data NPRM (WCB, WTB, OSP)
Advance Robust and Secure Public Safety Communications Networks	Public Safety Roaming & Priority Access NPRM (WTB, PSHSB)		NG 911 NOI (PSHSB, OET, WCB, WTB)
	D Block Order/NPRM (WTB, PSHSB) [Also in Mobile]		Back-Up Power NOI (PSHSB, OET, WTB)
	700 MHz Waiver Petitions (PSHSB, WTB, OET)		Serv. Outage & Homeland Security NPRM (PSHSB, OET, WCB, WTB, IB)
	ERIC Public Safety Interoperability Order (PSHSB)	700 MHz Public Safety Order/FNPRM (PSHSB, WTB, OET)	
	Cybersecurity Certification NOI (PSHSB, WTB, OET, WCB)	Location Accuracy FNPRM (PSHSB, OET, WTB)	
	Survivability NOI (PSHSB, OET, WTB, WCB)		
	Serv. Outage & Homeland Security Workshop (PSHSB, OET, WCB, WTB, IB)		

Wireless Telecommunications Bureau (WTB)

Wireline Competition Bureau (WCB)

Office of Engineering and Technology (OET)

Media Bureau (MB)

Consumer & Governmental Affairs Bureau (CGB)

Public Safety & Homeland Security Bureau (PSHSB)

* This document reflects only proposed FCC actions, not those of other government agencies, and is not exhaustive of all 2010 FCC actions. The location and timing of actions in this document represents a series of targets that may be adjusted to respond to changing conditions as appropriate; items that span quarters are expected to occur late in the earlier quarter, or early in the later quarter. Does not include initiatives discussed in Agenda from Q1 2010 and earlier (E-rate Community Use Order, Rural Health Care Pilot Program Extension Order, Spectrum Dashboard Beta, and Tower Siting Declaratory Ruling).